



# **INCLUSIONARY ZONING A PRIMER**

Prepared by the

**DC Office of Planning**

October 2, 2002

This document has been prepared by the DC Office of Planning in order to inform the general public in preparation for a roundtable discussion on Inclusionary Zoning to be held by the District of Columbia Zoning Commission:

October 10th 6:30pm at  
One Judiciary Square, 220 South  
Washington, DC

Community stakeholders wishing to testify to the Commission should contact Sara Bardin Public Relations Specialist, Office of Zoning (202) 727-5372.

## INTRODUCTION

The purpose of this paper is to provide the general public information on Inclusionary Zoning in preparation for a roundtable discussion to be held by the District of Columbia Zoning Commission Tuesday, October 10<sup>th</sup>, 2002 at 6:30 pm in One Judiciary Square, Room 220 South. The Zoning Commission is holding the roundtable to solicit comment from the public to understand the community's concerns and issues surrounding Inclusionary Zoning and its application in the District of Columbia.

This paper is divided into three sections. First, it provides a snapshot into the DC housing market with information on the development of market rate and affordable housing. Second, it provides information on Inclusionary Zoning, what is it, its purpose, history, and application across the country. Third, it attempts to frame and outline the basic policy questions that would need to be addressed in considering any adoption of Inclusionary Zoning for Washington, DC.

The goal of this paper is to facilitate an informed discussion on whether zoning can be a useful tool in improving the supply and distribution of quality housing for all income ranges in the District of Columbia. Information is provided as context for each question so the Zoning Commission and the participants in the roundtable can focus on the key issues with regard to Inclusionary Zoning.

## HOUSING IN WASHINGTON D.C.

The Washington region's economic prosperity and the increased attractiveness of the District have fueled both a tight housing market regionally and increased the demand for housing in the District. While there has been signs of recent cooling, housing costs have continued rising while vacancies have remained very low. Rising housing values and new construction have helped the District fiscally, but they have also made the availability of quality affordable housing a top concern among citizens across the city. This concern is raised

regularly when citizens come together at public forums to discuss the key issues of our city and neighborhoods. In reviewing the data, the housing challenges facing our city are in fact very real:

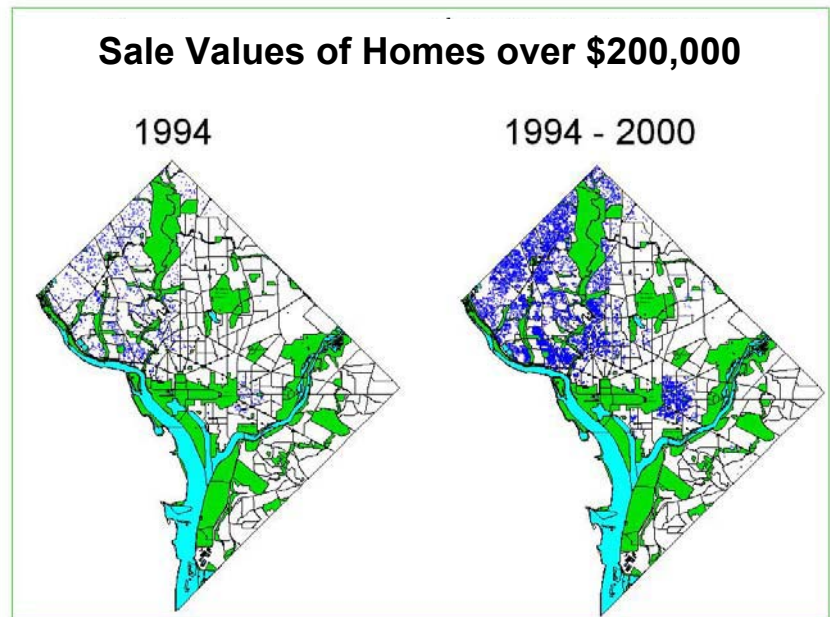
<b>Basic 2000 Census Housing Data</b>		
	Units	% of Total
Total	274,845	
Vacant	26,507	9.6%
Occupied	248,338	
Homeowners	101,214	40.7%
Renters	147,124	59.2%

- Financial assessment of the District indicates it is necessary to sustain a strong housing market that will both retain and attract residents.
- The benefits and burdens of population growth are being distributed unequally across the city. Some neighborhoods are facing rapidly increasing housing and rental prices raising possible displacement concerns while others neighborhoods are not.

- Construction of new market-rate housing and rehabilitation of existing housing is predominately occurring in medium to high-income and “transitioning”<sup>1</sup> neighborhoods.
- While the demand for affordable housing is real, most of the new or rehabilitated affordable housing projects currently in the pipeline are occurring primarily in lower-income neighborhoods.
- Middle class households, a group that has decreased by roughly 6,000 households or 2.5% since 1990, is a particular group needing quality affordable housing in safe and healthy neighborhoods.

**The average price of housing across the city has increased 65% over the past five years<sup>2</sup> yet only certain neighborhoods in the city are experiencing the majority of this upturn.**

Citywide, home prices have increased dramatically. The average home sales price in the District reached \$250,000 – a 16 percent increase from 1998 to 2000.<sup>3</sup> Geographically, an Urban Institute study identified that the homes purchased for over \$200,000 are predominately located in Northwest Washington (Wards 3 and 4, parts of Ward 1) and the Capital Hill area (parts of Ward 6).



Source: The Urban Institute, June 2000

**Similar to homeownership, the cost of renting has risen dramatically, but still varies widely based on location.**

Market research on investment grade rental properties<sup>4</sup> has documented a dramatic rise in rents (some are now reaching \$3 - \$4/SF), at the same time vacancy rates have remained below 3%. Yet the Urban Institute found, through a sampling of rental advertisements between August and October 2001, that a rental units in Northwest DC were almost double the price in the rest of the District.

<sup>1</sup> “Transitioning” neighborhoods are defined as fast-developing neighborhoods subject to rapid home sales, rising property values and displacement pressures.

<sup>2</sup> Research conducted by Freddie Mac.

<sup>3</sup> Fannie Mae Foundation, “Housing in the Nation’s Capital”, 2002, p. 2.

<sup>4</sup> Market research define “Investment Grade” has buildings built in the last 20 years primarily in northwest D.C.

While rents are lower in other neighborhoods than in northwest, across the city overall vacant units declined by 9% between 1990 and 2000. This is due to an increase in the number of homeowners (taking rental units out of supply) and an overall loss of 3,644 housing units. Combined, this has decreased the number of rental units by over 5,000 during the last ten years. This pressure is causing rents to rise everywhere.

### Average Rents for Sampled Rental Ads by Unit Size, 2001

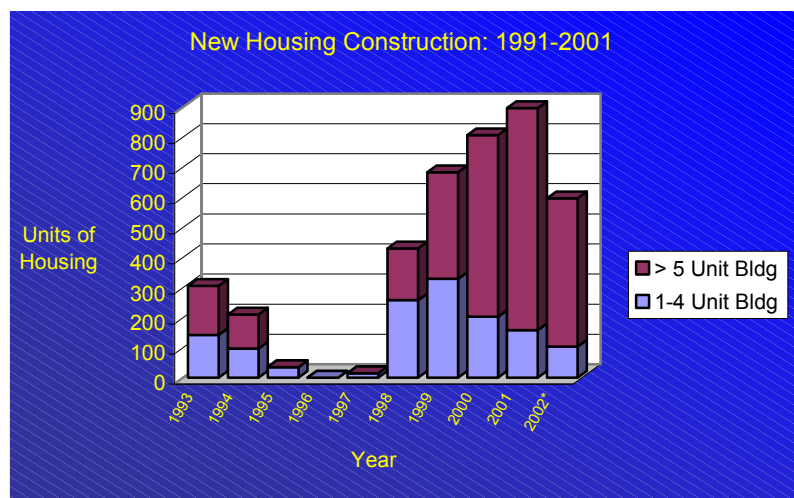
	District average	Northwest DC	Rest of DC
Efficiency	966	1024	753
1 bedroom	1218	1421	781
2 bedroom	1804	2048	1272
3 bedroom	2185	2478	1389
4 bedroom	3370	3668	1946

Source: Urban Institute, Sample of rental ads approaching in the *Washington Post*, the *Washington City Paper*, and the *Washington DC Apartment Shoppers Guide*.  
[This table is abridged to reflect only DC figures]

### In response to the overall demand, current levels of housing production and housing rehabilitation are unprecedented in the District.

In 1996 there were no new housing construction permits. Since 1999 the District has been averaging over 800 permits per year. In addition, many more permits have been issued for the rehabilitation of many large and small, long vacant apartment buildings.

Reviewing the total pipeline expected development; the Office of Planning forecasts that over 25,000 additional housing units could be built in the District between 2000 and 2010. Since 2000, almost 4,000 new units have already been completed.



Pipeline of Housing Construction	
Completed Since 2000	3,970
Projects Under Construction <sup>1</sup>	7,426
Planned	8,234
Proposed <sup>2</sup>	4,083
<u>Request for Proposals</u>	<u>1,566</u>
<b>TOTAL</b>	<b>25,279</b>

<sup>1</sup> Projected completion numbers for projects where permits have been issued.

<sup>2</sup> Includes large redevelopment projects (i.e. SE Federal Center, Capper-Carrollsbury HOPE VI).

In neighborhoods like Mt. Pleasant and Columbia Heights neighborhoods in Ward 1, Dupont and Logan Circle neighborhoods in Ward 2, and the Capital Hill neighborhood in Ward 6, housing rehabilitation projects have experienced a particularly sharp upturn in recent years. It has been the success of these rehab projects “repositioning” a building in the market that first demonstrated the District’s market strength and encouraged new construction to follow on surrounding vacant lots.

Source: DC Office of Planning

**The development of market rate housing is on the rise and primarily located in “stable” and “transitioning” neighborhoods.<sup>5</sup>**

The tight housing market described above has caused housing developers to seek out housing opportunity sites where they can build to capture high potential rents. Almost without exception these projects are in “stable” or “transitioning” neighborhoods. Those few projects without District subsidies built elsewhere typically have financial assistance from foundations or other non-District programs.

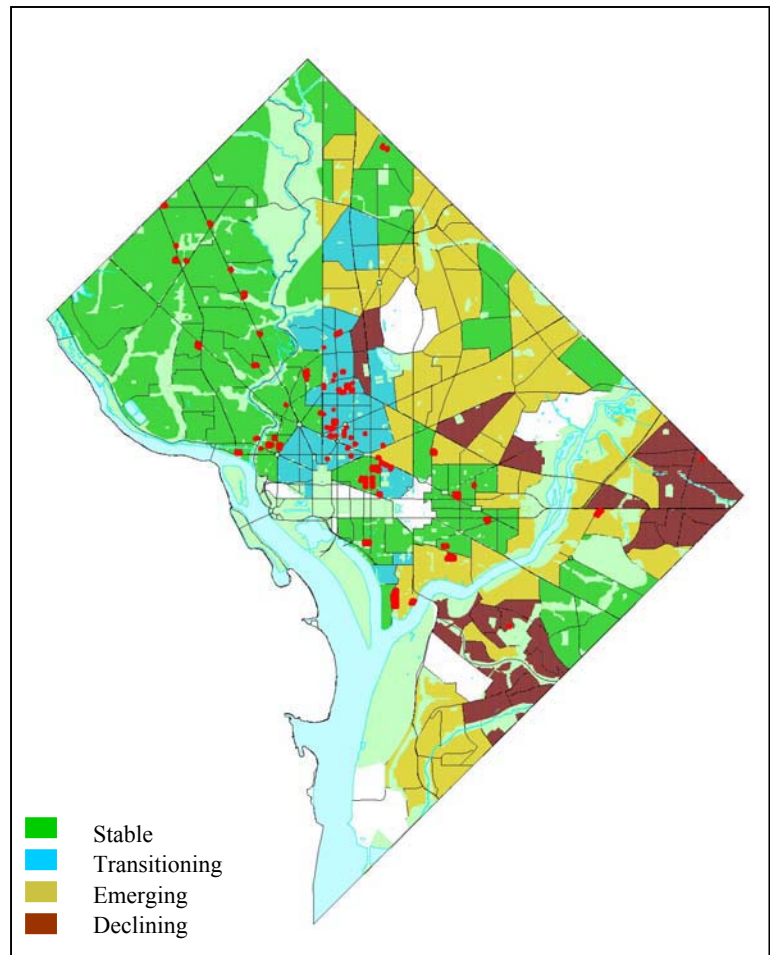
**The demand for quality affordable housing in safe and healthy neighborhoods will continue to exist.**

There are several indicators that tell us that a demand for affordable housing exists:

*People are paying too much for their housing:* In 1998, the American Housing Survey identified that 43% of all District renters paid more than 30% of their income for housing. Additionally 25% of all renters paid over 50% of their income toward housing.<sup>6</sup>

*Between 2000 and 2005, almost 10,000 units with subsidy contracts from HUD are to expire<sup>7</sup>:* It is currently unknown how many of these units will re-authorize. Many of these units are located in Columbia Heights and Logan Circles areas – core “transitioning” neighborhoods.

*Waiting lists for subsidized housing units with the DC Housing Authority:* Over 19,000 families are typically on the Housing Authority’s waiting list.



<sup>5</sup> The map above groups neighborhoods into four neighborhood classifications: “stable”, “transitioning”, “emerging”, and “distressed”. The indicators used to determine which neighborhoods fall within these categories include: education, crime, and housing values.

<sup>6</sup> Source: Fannie Mae Foundation/Urban Institute’s “Housing in the Nation’s Capital, 2002, P. 35.

<sup>7</sup> Source: Fannie Mae Foundation/Urban Institute’s “Housing in the Nation’s Capital, 2002, P. 17.

**People that likely need affordable housing play a key role in our economy, including middle class families.**

HUD uses a percentage of the Area Median Income (AMI)<sup>8</sup> to determine who is likely to need affordable housing. HUD and other programs target different levels of income for subsidies. The chart below gives two such examples, one at 30 percent and another 80 percent of the AMI and the role they play in our economy. This includes middle class families.

#### Washington DC Metropolitan Area Median Family Income & Occupational Wages

2002 Area Median Family Income  
Family of 4 = \$ 91,500

Family Size	30% of AMI		80% of AMI	
	Income	Sample Job Description*	Income	Sample Job Description*
1	\$ 18,250	Child Care Worker	\$ 38,100	Locksmith
2	\$ 20,900	Manicurist	\$ 43,500	Legal Secretary w / 1 child
3	\$ 23,500	Pharmacy Technician w/ 2 Children	\$ 48,950	Museum Technician w / 2 children
4	\$ 26,100	Office Clerk w/ 3 Children	\$ 54,400	Shipping Clerk & Floral Designer w / 2 Children
5	\$ 28,200	Medical Transcriptionist w/ 4 Children	\$ 58,750	Computer Operator & Office Clerk w / 3 Children

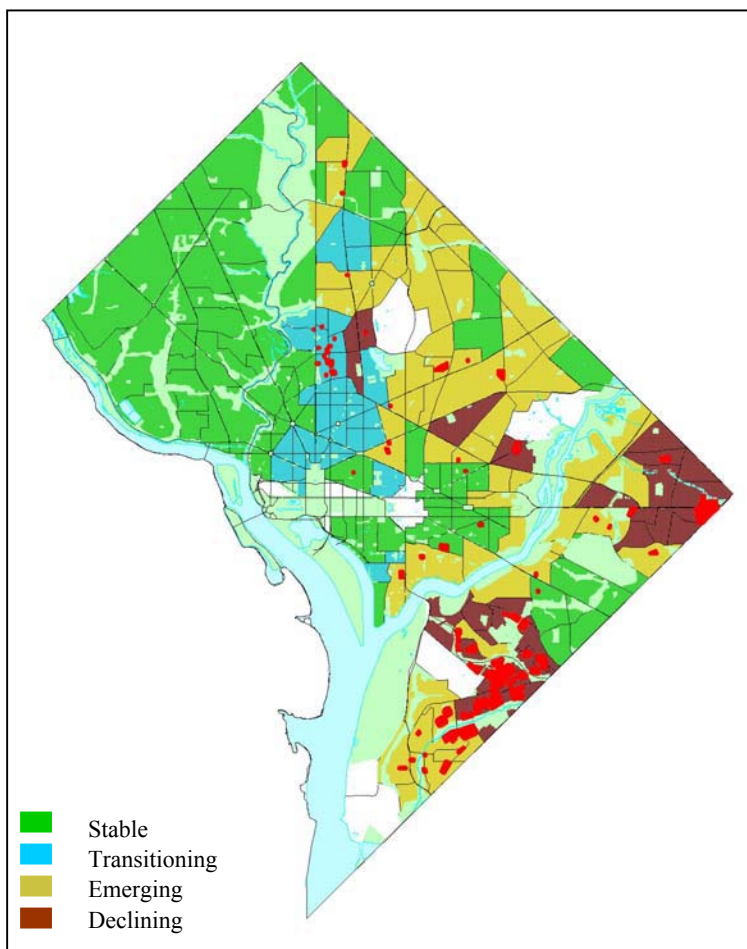
\*Source: 2000 Bureau of Labor Statistics

**While subsidized housing is being built in the District, it is primarily located in neighborhoods with lower-income residents.**

#### Pipeline of Subsidized Projects

FY 1999	1,547 units
FY 2000	1,902 units
FY 2001	3,784 units
FY 2002	2,419 units
Under Review	<u>4,025 units</u>
Total	13,677 units

Roughly 11,400 these units are deed restricted to households earning under 60% of the Metropolitan Area Median Income, which is \$54,900 for a family of four. With the exception of Columbia Heights, most of these affordable units continue to be located in “emerging” or “distressed” neighborhoods, further concentrating low-income households. The map to the right identifies the location of the subsidized units.



<sup>8</sup> Median income is where 50 % of households earn more and 50% earn less – it is literally the middle income.



## **WHAT IS INCLUSIONARY ZONING?**

Inclusionary Zoning is a technique used to create diverse mixed-income communities. In its basic form, it requires that each new housing development make a certain percentage of units affordable to a specific income range. How and to what extent this is achieved is up to each community. Typical regulations across the nation ask that anywhere from 10% to 35% of a development's total units be affordable to households between 60% and 80% of the Metropolitan Area Median Income (AMI). These ranges and other components are tailored to the goals each community is trying to achieve.

An Inclusionary Housing Program can be created either by city council legislation or by a zoning commission. An act of legislation by a city council is very similar to rent control in that it limits the rate at which rents can grow. Traditional rent control or rent stabilization typically limits increases in rent for everyone based upon an index like the Consumer Price Index. Inclusionary housing programs limit the increases in rent up to a certain percentage of a household's income - typically 30% of their income. However, the rent is only limited for some of the households that are within a given income range. The remaining units are allowed to float with changes in the market. Inclusionary Housing Programs can also be enacted through zoning regulations by a zoning commission when there are supporting policy goals within a city's Comprehensive Plan. This method tends to balance the affordability requirement with zoning incentives such as increases in density. Each method affects the design and application of the program differently.

### **History of Inclusionary Zoning**

Fairfax County, VA was the first community in the nation to enact an Inclusionary Zoning ordinance in 1971. However, a court challenge found that the ordinance's socio-economic zoning components exceeded the authority granted to municipalities by the state's zoning enabling act. Since Virginia is a "Dillon Rule" state, municipalities have no authority unless they are specifically empowered by the state. In 1974 Montgomery County, MD passed their Moderately Priced Dwelling Unit (MPDU) program and avoided a possible takings challenge by balancing the requirements with a proportional density bonus that compensates the developer. Since then, the MPDU program in Montgomery County has developed 13,000 units of housing scattered in and among market rate units. This has resulted in diverse communities where lower-income, working families having improved access to jobs, transportation, retail, education and other public and private services necessary for healthy families.

Many other communities across the country have passed similar laws or zoning ordinances. In fact, some states such as California, Massachusetts, New Jersey, and Minnesota have adopted laws specifically enabling jurisdictions to create Inclusionary Zoning ordinances. The table on the next page briefly lists some of the communities and provides some basic information on each one.

Jurisdiction	Type	Incentives	Trigger	Target Population	Justification/Goal
San Francisco, CA	Mandatory 5% to 12%	None	19 units	60% of AMI renters; 100% of AMI owners	Decent housing & suitable environment for every family
Santa Fe, NM	Mandatory 11% to 15%	11% to 16% bonus density	6 units	65% of AMI owners; 60% of AMI renters	Diversity and affordable housing
Davis, CA	Mandatory	1:1 bonus	5 units		City/Regional economic need for affordable units
Cambridge, MA	Mandatory 15%	30% bonus density	>10,000 SF of housing	80% of AMI	Preserving economic Diversity
Montgomery County, MD	Mandatory 12.5%-15.0%	15%- 22% bonus density	50 units	65% of AMI	Housing employed households
Pitkin County, CO	Mandatory	Any discretionary relief		Locally employed	
Dallas, TX	Voluntary/ Mandatory in some areas	Density bonus dependent on base zone			Discrimination lawsuit agreement
Hilton Head, SC	Voluntary	Bonus dependent on target income		Low to Moderate	
Orlando, FL	Voluntary	Dependent on area		Low to Moderate	

Source: American Planning Association PAS Report, DC Office of Planning.

In recent years several jurisdictions have created mandatory programs without incentives to balance the requirements. They have been able to accomplish this by completing a ‘nexus study’, also known as ‘rough proportionality’, which documents the impact of market rate housing on the supply of affordable housing. Under land use law, proving market rate housing negatively impacts the supply of affordable housing enables jurisdictions to legally require affordable units without a takings issue.

## Why Inclusionary Zoning?

In an era of declining federal resources for affordable housing, there are three public policy reasons why different communities have created Inclusionary Zoning programs. These are: Economic Development, De-Concentrating Poverty, and Anti-Discrimination.

In many rapidly growing and economically vibrant communities there is a drastic shortage of affordable housing that affects their ability to continue their economic prosperity. Often these communities are attracting large amounts of highly skilled, well-paid employees, who effectively price out the lower paid employees that are also necessary to the economy. This causes these lower paid employees to live in substandard housing, commute long distances, live in crowded conditions, or commit burdensome levels



of their income to housing. In the worst cases, it affects companies' ability to attract workforce, which threatens their continued growth. San Francisco is an example of this type of market.

In some communities the concentration of low-income households into certain areas has resulted in concentrating many other social problems such as crime, unemployment, and further private disinvestments. In the past this has forced local governments to try to overcome these problems with heavy public subsidies. These investments have rarely created sustainable neighborhoods, and often require continuing additional investments resulting in an ongoing burden to the overall tax base. Recently greater attention has been given to de-concentrating poverty and creating diverse, mixed-income neighborhoods. Some communities have used Inclusionary Zoning to encourage neighborhood diversity. Cambridge, MA is an example of using Inclusionary Zoning to encourage diverse neighborhoods.

Finally, some ordinances are the result of legal issues. These typically address past discriminatory practices where legislators or the courts found that a jurisdiction's land use policies or public housing policies were discriminatory to lower income households or minority neighborhoods. Massachusetts, New Jersey, and Dallas, TX are examples of Inclusionary Zoning policies developed for these reasons.

## **Legal Issues**

Typically, challenges to Inclusionary Zoning are based upon a claim that by requiring a property owner to set aside a number of housing units as affordable, the government is in effect "taking" private property without paying the owner for the land. The Fifth Amendment of the United States Constitution prohibits the taking of private property without just compensation. In addition, most state constitutions also prohibit the taking of private property without just compensation. In the past, some land use regulations have been found to constitute a regulatory taking. Over the years, no single test has emerged to determine whether an unconstitutional taking of private property has occurred. The outcomes in regulatory takings cases have reflected prevailing social and economic values and norms and the changing composition of the courts.

Simply stated, land use regulations are typically not found to affect an unconstitutional taking of property if it substantially advances a legitimate public interest and does not deny an owner economical viable use of his land. It should be understood that any analysis to determine the legal validity of an Inclusionary Zoning Program must be done on a case-by-case basis. However, based upon the evolution of court decisions on takings over the last century, Inclusionary Housing Programs have survived legal challenges when the following were achieved:

1. The regulation is reasonably related to a legitimate government purpose and enacted through a valid exercise of police power;
2. The regulation is not arbitrary and capricious;
3. There is a direct relationship or "nexus" between the legitimate state interest and the ends sought by the regulation;
4. The impact of the regulation is proportional to the condition being imposed;
5. The regulation treats all similarly situated developers or property owners the same;
6. The regulation does not deny an owner viable economic use of his property; and

7. The regulation provides incentives and/or waivers to allow the average developer to earn a reasonable rate of return.

It should be noted that a court could apply some or all of these tests in a takings challenge.

## **OUTLINING THE POLICY QUESTIONS**

The following are some of the basic questions that need to be answered in order to form an Inclusionary Zoning program.

### **Policy Question #1**

#### ***Is Inclusionary Zoning appropriate for the District of Columbia?***

This basic question must be answered through an open and deliberative process with the widest possible set of stakeholders. It is also necessary to understand how inclusionary requirements would affect the overall production of housing. It is the purpose of the Zoning Commission's roundtable to invite housing advocates, developers, citizens, community leaders and others to comment, debate and provide insight.

Upon receipt of the comments, the Office of Planning is committed to taking those comments and incorporating them into a complete study of Inclusionary Zoning in the District.

A simple break down of the question into smaller parts helps to answer it. First, would Inclusionary Zoning help the District meet public policy goals outlined in Comprehensive Plan? Second, will it work within the District's land and development environment?

The Comprehensive Plan does make statements toward encouraging neighborhood diversity and offering zoning incentives for affordable housing. In addition, there are other jurisdictions with similar land and development opportunities that have enacted Inclusionary Zoning. This suggests that the preliminary answer to both questions is yes; however much will depend on the answers to the following policy questions.

### **Policy Question #2**

#### ***Should the Inclusionary Zoning be mandatory for all developments or voluntary based on available incentives?***

Both mandatory and voluntary Inclusionary Zoning requirements rely on strong housing markets to deliver units.

Mandatory programs require a certain percentage of units be affordable and may be accompanied by density, fast track processing or other incentives. In areas with struggling markets or during cyclical downturns in development activity, the added inclusionary requirements may lead to fewer overall housing units being built. However, in some cases, units for moderate incomes may be the market. Montgomery County found that during slower economic periods, developers would actually build their

MPDU requirements first to start the development and build the market rate later after the project had demonstrated success.

Voluntary programs rely solely on incentives to encourage developers to provide the affordable units. The incentives must therefore be sufficiently attractive to balance the percentage of units that are affordable and the income ranges they target.

The most successful Inclusionary Zoning programs in the country in terms of number of affordable units built are the mandatory programs that also offer incentives to provide some compensation to the requirements.

### **Policy Question #3**

The following questions are related because they determine the impact of the inclusionary requirement on housing developments. All of them must be balanced between the public need and what is achievable given the base land/development economics and available incentives. Otherwise an Inclusionary Zoning program could either damage the overall development of housing or be ineffective at achieving public goals or both.

#### ***A. What income range should be targeted?***

As an example, in the 1970's, Montgomery County made it a public policy goal to be able to house all those who worked in the county. They determined that the working families whose needs were not being met by the existing market at the time were those earning less than 65% of the Area Median Income. In today's market that equates to a family of four whose household income is less than \$60,000 per year.

#### ***B. What is the appropriate percentage of units that should be affordable?***

In their nexus study, Santa Fe demonstrated that for every 100 high end, market rate residential units developed, there was a need for roughly 15 moderate-income housing units. This was determined under the basis that every household demands a certain amount of public and private services, that in part must be provided by moderate-income households whose housing needs were not being met by the current market conditions. Again this was balanced with the development economics to ensure that it would not damage the overall development of housing.

#### ***C. What size projects should the requirement apply to?***

Montgomery County's inclusionary requirement applies to any project over 50 units. However, the county is learning that as the areas planned for urban development are built out there are fewer opportunities to build developments of that size. For this reason there have been fewer MPDU units built in the last several years. A recent study by the Brookings Institute suggests that Montgomery County may have to reduce the threshold trigger to a smaller number. Other jurisdictions typically range from 10 to 50 units.

The trigger is also related to how large a development is needed to absorb the impact from reduced income from some of the units.

**Policy Question #4**

***Is the goal to create mixed-income communities or maximize the number of affordable units developed?***

Typical ordinances across the country permit an off-site provision or buyout option, which allow a developer to meet their affordable requirement at a different location or by contributing to a housing trust fund. If structured and priced properly, this can lead to a greater number of affordable housing units being built than if all units were required onsite. However, this may be at the loss of creating mixed-income neighborhoods. Typically these alternative locations or developments that would use trust fund dollars are in lower income neighborhoods and therefore may continue to concentrate low-income households.

In general, inclusionary zoning is not able to generate large quantities of affordable units without greater subsidies. The benefits of Inclusionary Zoning are largely derived from the creation of mixed income communities. In this way lower income households are brought closer to:

- Retail services attracted by wealthier households;
- Employment opportunities thereby reducing transportation burdens;
- Public transportation infrastructure such as metro stations;
- Public services such as better schools;

**Policy Question #4a**

***Should the policy take effect in areas of existing high concentration of affordable housing?***

Several states have passed legislation that if the supply of affordable units drops below a certain percentage a municipality can impose affordability requirements and in some states the requirements are automatically triggered. States include: California, Connecticut and Massachusetts. For instance Massachusetts has an Anti-Exclusionary Law where developers can petition the state for the right to develop a mixed income project if they can demonstrate the municipality has fallen below the target percentage of affordability.

**Policy Question #5**

***Should incentives accompany a mandatory Inclusionary Zoning program?***

This is both a legal and a land use policy question.

Affordability requirements reduce the economic value of land and therefore might be considered a taking. However, a nexus test that links the impact of housing development to the lack of or decline in affordable housing can provide sufficient justification that the inclusionary requirement is in the public interest and therefore legal to impose.

Balancing the burden with incentives such as tax breaks, and density bonuses can result in a more successful program, but may result in a reduction of tax revenues or neighborhoods that are too dense to be healthy and sustainable.

**Policy Question #5a**

***Should a height bonus be included as an incentive?***

This question is rather specific to the District. Washington D.C. has a strong tradition of neighborhoods defined by height limitations set in the zoning code up to the limit set by the Height Act of 1910. Height limits help define a neighborhood and give it an identity. On the other hand, height bonuses would provide developers added incentive.

**Policy Question #6**

***How are homeownership and rental units treated differently?***

The economics of housing vary for both the developer and the resident depending on whether the units are rental or ownership. Some jurisdictions have treated them separately for policy reasons to encourage greater home ownership participation. But issues such as condominium fees and time limits require an understanding of how they would affect the program's efficacy.

**Policy Question #7a**

***How long should the units remain affordable?***

Typical restrictions range from 10 to 20 years and are often related to the type of tenure. Development of Inclusionary units is directly tied to the cyclical nature of the demand for housing. Communities will often go through repeated cycles of rapid construction followed by slower periods. In order to maintain a stable minimum number of affordable units, it is therefore necessary to make the time requirement at least the length of the average cycle. A shorter time limit means that the affordability requirement will expire before the market can build new ones to replace them.

**Policy Question #7b**

***Should the long term focus be creating a household asset or maintaining affordability?***

In the case of homeownership, this question has to do with the resale of the affordable units and the value of that resale to the low to moderate-income owner. A home is a valuable asset and often the single greatest investment a family has. It can help families to put their children through college, enable older owners to retire, or growing families move up to a larger home. On the other hand, the supply of affordable homes is very limited and enabling one family to "cash in" will mean one less unit to help a lower income family.

**Policy Question #8**

***How can the program reach very low-income households?***

Inclusionary Zoning with the typical incentives that accompany it is often only useful to reach moderate-income households. To reach lower incomes it requires greater financial incentives such as low interest bond financing or grants. Montgomery County's law enables the Housing Opportunity Commission

(their Housing Authority) to buy up to one third of the affordable units at cost, manage them and make them available to lower income residents.

### **Policy Question #9**

#### ***How should the program be administered and enforced?***

This is perhaps the most important question of all. Proper and efficient administration of the program is vital for Inclusionary Zoning to be successful. There is an important balance between ensuring the program achieves its mission, providing affordable units, and keeping the administrative burden on developers to a minimum.

### **SUMMARY**

This has been a brief introduction to Inclusionary Zoning. The Office of Planning will be providing further information at the Zoning Commissions roundtable. Attached are references in the District's Comprehensive Plan to Inclusionary Zoning. In addition, please investigate some of the other available materials including the many links on the web, or contact Art Rodgers in our office at:

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[www.planning.dc.gov](http://www.planning.dc.gov)



COMPREHENSIVE PLAN CITATIONS  
(Emphasized Sections Bolded)

- 111.1.1 Each distinct neighborhood of the District is an integral part of a diverse larger community that contributes to the District's attractiveness and strength:
- (a) Although many residents have sufficient means or individual support systems to be self-reliant, other residents are periodically more dependent on the larger community for support or assistance in their daily living; and
  - (b) While the District must strive to increase educational, employment, and other opportunities to reduce such dependency, **all neighborhoods should share in the overall social responsibilities of the community, including, but not limited to, housing the homeless, feeding the hungry, accommodating the disabled, and welcoming residents of diverse backgrounds and needs.**
- 300.4 Housing in the District is viewed as a key part of a total urban living system that includes access to transportation and shopping centers, the availability of employment and training for suitable employment, neighborhood schools, libraries, recreational facilities, playgrounds, and other public amenities.
- 300.6 The District should continue and intensify its efforts to identify and address issues applicable to the elderly population, including institutional housing and community-based residential facilities. Zoning and health regulations should be designed to promote an increase in supply, security, and affordability of housing for the elderly.
- 301 HOUSING GOAL**
- 301.1.1 It is the goal of the District to have adequate affordable housing for all District residents in communities that have access to services and facilities to meet their needs.
- 302.2 The policies established in support of the general objectives for housing are as follows:
- (b) **Review and recommend suitable regulatory zoning, tax, and financing incentives under appropriate controls to meet housing production goals, particularly for low-income, moderate-income and elderly households;**
  - (h) **Establish concrete goals for the location, type, size, and cost of new housing units by ward and neighborhood based upon a needs assessment study to be conducted by the executive branch using the latest census and other available data for the District, to be done at least every ten (10) years; and**
- 303.2 The policies established in support of the low- and moderate-income housing objectives are as follows:

- (d) **Provide zoning incentives, as appropriate, to developers prepared to build low- and moderate-income housing, such as permitting additional densities in exchange for incorporating low- and moderate-income housing in development projects;** tie provision of housing into large-scale commercial developments where zoning benefits are sought; and give zoning preferences to mixed-use sites that include housing near appropriate Metrorail stations;

304.2 The policies established in support of the housing for the elderly objectives are as follows:

- (c) Provide zoning incentives to developers prepared to build elderly housing, such as permitting additional densities in exchange for incorporating elderly housing in development projects, and give zoning preferences to mixed-use sites which include housing near appropriate Metrorail stations; and

## REFERENCES AND WEB RESOURCES

**“Affordable Housing: Proactive & Reactive Planning Strategies”** White, S. Mark., American Planning Association PAS Report 441, 1992.

**Expanding Affordable Housing Through Inclusionary Zoning: Lessons From the Washington Metropolitan Area**

Karen Destorel Brown, October 2001

<http://www.brookings.org/dybdocroot/urban/publications/inclusionary.htm>

**The House Next Door: A study of the impact of subsidized housing on property values of private market rate housing in mixed-income environments in Montgomery County, Maryland and Fairfax County, Virginia.** Joyce Siegel, The Grier Partnership, February 2001. <http://www.inhousing.org/>

**Housing in the Nation's Capital 2002** [Margery Austin Turner](#), [G. Thomas Kingsley](#), [Kathryn L.S. Pettit](#), [Christopher Snow](#), [Peter A. Tatian](#), June 19, 2002

<http://www.urban.org/Template.cfm?NavMenuID=24&template=/TaggedContent/ViewPublication.cfm&PublicationID=7766>

**Inclusionary Zoning Around the Country: *This compendium was assembled to assist a community preparing to develop an inclusionary zoning program.*** – Joyce Siegel, March 2, 2000

<http://www.inhousing.org/>

**Inclusionary Zoning: A Viable Solution to the Affordable Housing Crisis?**

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**What is Inclusionary Zoning? Policy Link**

<http://www.polic0ylink.org/EquitableDevelopment/>